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09/800,006	03/06/2001	James C. Rush	STE01 P-1086	5256

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EXAMINER

SPAHN, GAY

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3635

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11/16/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	09/800,006	RUSH ET AL.	
	Examiner	Art Unit	
	Gay Ann Spahn	3635	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 29 August 2007.
 2a) This action is FINAL. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 30-34,79,82-87,89,94,116-118,121-130 and 132-145 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) 30-34 and 121 is/are allowed.
 6) Claim(s) 79,82-86,89,94,116-118,122-130 and 134-145 is/are rejected.
 7) Claim(s) 87,132 and 133 is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on 3/6/01 & 9/26/03 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) <input type="checkbox"/> Notice of Informal Patent Application
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____ .	6) <input checked="" type="checkbox"/> Other: <u>See Continuation Sheet</u> .

Continuation of Attachment(s) 6). Other: Examiner's Marked-Up Copy of Fig. 17 of OUDOT ET AL.

DETAILED ACTION

Allowable Subject Matter

The indicated allowability of claims 79, 82-86, 89, 94, 116-118, 122-130, 134-139, and 140-145 is withdrawn in view of either the newly discovered references or cited-but-not-applied references to KROOPP '736 (U.S. Patent No. 3,537,736), OUDOT ET AL. (U.S. Patent No. 4,073,113), STRASSLE '319 (International Patent Application Publication No. WO 97/41319), BURDICK (U.S. Patent No. 4,382,642), HALVORSON, JR. ET AL. (U.S. Patent No. 6,058,665), DOMBCHIK ET AL. (U.S. Patent No. 6,092,348), MÜNCH ET AL. (U.S. Patent No. 5,921,050), NEWHOUSE (U.S. Patent No. 4,914,873), SHIPMAN ET AL. (U.S. Patent No. 6,073,399), and HELLWIG ET AL. '796 (U.S. Patent No. 5,241,796). Rejections based on the newly cited references follow.

Information Disclosure Statement

The listing of references in the specification is not a proper information disclosure statement. 37 CFR 1.98(b) requires a list of all patents, publications, or other information submitted for consideration by the Office, and MPEP § 609.04(a) states, "the list may not be incorporated into the specification but must be submitted in a separate paper." Therefore, unless the references have been cited by the examiner on form PTO-892, they have not been considered.

More particularly, U.S. Patent No. 3,822,144 (see specification, page 1, line 17), U.S. Patent No. 3,831,330 (see specification, page 1, line 17), U.S. Patent No. 4,144,924 (see specification, page 1, line 17), U.S. Patent No. 6,003,275 (see specification, page 1, line 21), and U.S. Patent No. 5,889,025 (see specification, page 1, line 21) have been discussed in the specification, but have not been listed on an information disclosure statement.

Drawings

The drawings are objected to because:

- (1) Figs. 1-24, 24A, 25-28, 28A, and 29-37, the examiner has noted the use of arrows at the end of lead lines throughout the drawing figures and as these arrows do not comply with 37 C.F.R. § 1.84(r)(1-3), they should be deleted;
- (2) Fig. 1, the lead line leading from the lower reference numeral "96" is not leading to the "bracket", but rather is leading to a foot attached to the bracket and therefore, it is believed that the reference numeral should be changed to another reference numeral since the lower bracket "96" (i.e., bracket and foot) appears to be of different configuration than the upper bracket "96" (i.e., simply bracket);
- (3) Figs. 3 and 5, the "squiggle" lines on either side of reference numeral "13" should be deleted and reference numeral "13" should be underlined in accordance with 337 C.F.R. § 1.84(q), entitled "Lead lines", sixth full sentence;

(4) Fig. 19, the "squiggle" lines on either side of reference numeral "45" should be deleted and reference numeral "45" should be underlined in accordance with 337 C.F.R. § 1.84(q), entitled "Lead lines", sixth full sentence;

(5) Figs. 24A, 30, 31, 34, and 36 are exploded views and therefore, must have their separated parts embraced by a bracket as required by 37 C.F.R. § 1.84(h)(1); and

(6) Fig. 28, a section line cannot be shown by a single side (i.e. "XXVIIIA"), but must have two end points (i.e., " XXVIIIA- XXVIIIA").

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

The disclosure is objected to because of the following informalities:

(1) in the "Reply Under 37 CFR 1.111" filed on 04 November 2002 amending the paragraph beginning on page 1, line 3, it is noted that the status of both "U.S. Patent Application Serial No. 09/800005, filed on March 6, 2001" (on lines 1-2 of the paragraph) and "U.S. Patent Application Serial No. 09/800007, filed on March 6, 2001" (on line 4 of the paragraph) needs to be updated to insert --now U.S. Patent No. 6,510,663, issued January 28, 2003-- and --now, U.S. Patent No. 6,574,928, issued January 10, 2003--, respectively;

(2) in the "Reply Under 37 CFR 1.111" filed on 04 November 2002 amending the paragraph beginning on page 14, line 11, it is noted that the status of "Application Serial No. 09/800005, filed on March 6, 2001" (on lines 3-4 of the paragraph) needs to be updated to insert --now U.S. Patent No. 6,510,663, issued January 28, 2003--;

(3) in the "Reply Under 37 CFR 1.111" filed on 04 November 2002 amending the paragraph beginning on page 15, line 15, it is noted that the status of "Application Serial No. 09/800007, filed on March 6, 2001" needs to be updated to insert --now, U.S. Patent No. 6,574,928, issued January 10, 2003--;

(4) in the "Reply Under 37 CFR 1.111" filed on 05 May 2003 amending the paragraph beginning on page 1, line 12, it is noted that U.S. Patent No. 3,822,146 is not a partition system assigned to Steelcase Development Corporation and it is believed that "3,822,146" should be changed to --3,802,146--;

(5) in the "Reply Under 37 CFR 1.111" filed on 05 May 2003 amending the paragraph beginning on page 1, line 19, it is noted that U.S. Patent No. 5,889,025 is not a furniture system assigned to Steelcase Development Corporation and it is believed that "5,889,025" should be changed to --5,899,025--;

(6) page 10, the paragraph beginning on line 9, the status of "U.S. Patent Application Serial No. 09/694,645, filed October 23, 2000" discussed on lines 11-12 of the paragraph needs to be updated to say --now abandoned--; and

(7) page 16, the paragraph beginning on line 11, the status of "Application Serial No. 09/694,296, filed October 23, 2000" discussed on lines 3-4 of the paragraph needs to be updated to say --now U.S. Patent No. 6,481,169, issued November 19, 2002--.

Appropriate correction is required.

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 94, 134-139, and 140-145 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 94, line 2, the recitation of “the improvement” is vague, indefinite, and confusing as lacking antecedent basis because no “improvement” has been previously introduced and therefore the examiner is not sure what is being improved (i.e., are Applicants trying to claim in Jepson format?).

Claim 134, line 2, (and dependent claims 135-139 either directly or indirectly dependent thereon), the recitation of “the improvement” is vague, indefinite, and confusing as lacking antecedent basis because no “improvement” has been previously introduced and therefore the examiner is not sure what is being improved (i.e., are Applicants trying to claim in Jepson format?).

Claim 137, line 5, (and dependent claims 138 and 139 either directly or indirectly dependent thereon), the recitation of “said second beam slots” is vague, indefinite, and confusing as lacking antecedent basis since no “second beam slots” have been previously introduced.

Claim 138, line 5, (and dependent claim 139 directly dependent thereon), the recitation of “said external vertical wire managers” is vague, indefinite, and confusing as lacking antecedent basis since “a plurality of vertical wire managers” were introduced in line 3 and were not said to be “external”.

Claim 140, line 2, (and dependent claims 141-145 either directly or indirectly dependent thereon), the recitation of “the improvement” is vague, indefinite, and confusing as lacking antecedent basis because no “improvement” has been previously introduced and therefore the examiner is not sure what is being improved (i.e., are Applicants trying to claim in Jepson format?).

Claim 143, line 5, (and dependent claims 144 and 145 either directly or indirectly dependent thereon), the recitation of “said second beam slots” is vague, indefinite, and confusing as lacking antecedent basis since no “second beam slots” have been previously introduced.

Claim 144, line 5, (and dependent claim 139 directly dependent thereon), the recitation of “said external vertical wire managers” is vague, indefinite, and confusing as lacking antecedent basis since “a plurality of vertical wire managers” were introduced in line 3 and were not said to be “external”.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 134 is rejected under 35 U.S.C. 102(b) as being anticipated by KROOPP '736 (U.S. Patent No. 3,537,736).

As to claim 134, KROOPP '736 discloses that in a post and beam furniture system for partitioning open office space, the improvement comprising:

a plurality of vertical posts (uprights 17, 17 in Fig. 5) having lower ends thereof configured to be abuttingly supported on a floor surface of the open office space, and being arranged in a laterally spaced apart fashion;

said posts (17, 17) having a cruciform plan shape defined in part by a central portion (middle square in Fig. 1), and four, substantially identical flanges (unnumbered, but extensions from middle square portion in Fig. 1) extending outwardly from said central portion in a mutually perpendicular relationship to define triangularly-shaped spaces between adjacent ones of said flanges;

each of said flanges (unnumbered, but extensions from middle square portion in Fig. 1) having a generally flat end face with a single vertical slot (what reference numeral "3" is in in Fig. 1) extending centrally therealong, and a predetermined width measured between opposite sidewalls of said flanges;

a plurality of horizontal beams (distance bars 18, 18 in Fig. 5) having opposite ends thereof operably connected with said posts (17, 17) in a predetermined pattern to divide the open office space into a plurality of individual workstations;

said beams (18, 18) having a generally rectangular shape defined in part by opposite sidewalls spaced apart a predetermined width which is generally commensurate with said predetermined width (see Fig. 1) of said flanges (unnumbered, but extensions from middle square portion in Fig. 1) on said posts (17, 17), such that said beams (18, 18) mate with any one of said flanges along the length thereof in a flush relationship; and

a plurality of beam-to-post connectors ("coupling means" discussed at col. 2, lines 29-45) having first portions (4, 4) thereof operably connected (via 12 and 6) with the ends of said beams (18, 18), and second portions (7, 7) thereof detachably retained in said slots (T-shaped elongate recess in ends of the flanges) in said flanges

(unnumbered, but extensions from middle square portion in Fig. 1) on said posts (17, 17) for supporting said beams (18, 18) at a variety of different orientations and elevations along said posts (17, 17).

Claims 134 and 135 are rejected under 35 U.S.C. 102(b) as being anticipated by OUDOT ET AL. (U.S. Patent No. 4,073,113).

As to claim 134, OUDOT ET AL. discloses that in a post and beam furniture system for partitioning open office space, the improvement comprising:

a plurality of vertical posts (uprights 31, 31 in Fig. 14) having lower ends thereof configured to be abuttingly supported on a floor surface of the open office space (the structure of OUDOT ET AL. is capable of performing this intended use), and being arranged in a laterally spaced apart fashion;

said posts (31, 31) having a cruciform plan shape defined in part by a central portion (middle square in Fig. 14), and four, substantially identical flanges (unnumbered, but extensions from middle square portion in Fig. 14) extending outwardly from said central portion in a mutually perpendicular relationship to define triangularly-shaped spaces between adjacent ones of said flanges;

each of said flanges (unnumbered, but extensions from middle square portion in Fig. 14) having a generally flat end face with a single vertical slot (35) extending centrally therealong, and a predetermined width measured between opposite sidewalls of said flanges;

a plurality of horizontal beams (30, 30 in Fig. 14 and configured as shown in Fig. 17) having opposite ends thereof operably connected with said posts (31, 31) in a predetermined pattern to divide the open office space into a plurality of individual workstations;

said beams (30, 30) having a generally rectangular shape defined in part by opposite sidewalls spaced apart a predetermined width which is generally commensurate with said predetermined width of said flanges on said posts (31, 31), such that said beams (30, 30) mate with any one of said flanges along the length thereof in a flush relationship; and

a plurality of beam-to-post connectors (33, 33 at each end of beam 30) having first portions (in 34) thereof operably connected with the ends of said beams (30, 30), and second portions (37, 37) thereof detachably retained in said slots (35, 35) in said flanges on said posts (31, 31) for supporting said beams (30, 30) at a variety of different orientations and elevations along said posts (31, 31).

As to claim 135, OUDOT ET AL. discloses the post and beam furniture system of claim 134 as discussed above, and OUDOT ET AL. also discloses a plurality of partition accessories (see attached Examiner's Marked-Up Copy of Fig. 17 of OUDOT ET AL.) configured to equip said furniture system, and having mounts (33, 33) shaped to be detachably retained in said slots (35) on said flanges along said posts to support said partition accessories at a variety of different orientations and elevations along said posts (the post and beam furniture system of OUDOT ET AL. is capable of performing this intended use).

Claims 134-136 are rejected under 35 U.S.C. 102(b) as being anticipated by STRASSLE '319 (International Patent Application Publication No. WO 97/41319, but see English translation in U.S. Patent No. 6,185,887).

As to claim 134 (and as best understood despite the 35 U.S.C. § 112, second paragraph, indefiniteness discussed above), STRASSLE '319 discloses that in a post and beam furniture system for partitioning open office space (the structure of the post and beam furniture system of STRASSLE '319 is capable of performing this intended use), the improvement comprising:

a plurality of vertical posts (two of embodiment of profiled member shown in Fig. 6 and also shown in use in Figs. 9 and 11) having lower ends thereof configured to be abuttingly supported on a floor surface of the open office space (the structure of the post and beam furniture system of STRASSLE '319 is capable of performing this intended use), and being arranged in a laterally spaced apart fashion (see Fig. 11, wherein two posts are ready to be attached at ends of beams 116, 117);

said posts (two of profiled members shown in Fig. 6) having a cruciform plan shape (see Fig. 6) defined in part by a central portion (see cruciform-shaped central portion 23 of post in Fig. 6), and four, substantially identical flanges (extensions from walls 3, 4, 5, 6 in Fig. 6) extending outwardly from said central portion (23 in Fig. 6) in a mutually perpendicular relationship to define triangularly-shaped spaces (28, 29, 30, 31 in Fig. 6) between adjacent ones of said flanges (extensions from walls 3, 4, 5, 6 in Fig. 6);

each of said flanges (extensions from walls 3, 4, 5, 6 in Fig. 6) having a generally flat end face (7, 9, 11, 13 in Fig. 6) with a single vertical slot (24, 25, 26, 27 in Fig. 6) extending centrally therealong, and a predetermined width measured between opposite sidewalls (15/22, 16/17, 18/19, 20/21 in Fig. 6) of said flanges (extensions from walls 3, 4, 5, 6 in Fig. 6);

a plurality of horizontal beams (91, 92 in Fig. 10) having opposite ends thereof operably connected (see Fig. 11) with said posts (two of profiled members shown in Fig. 6 or 111 in Fig. 11) in a predetermined pattern to divide the open office space into a plurality of individual workstations (the structure of the post and beam furniture system of STRASSLE '319 is capable of performing this intended use);

said beams (91, 92) having a generally rectangular shape defined in part by opposite sidewalls spaced apart a predetermined width which is generally commensurate with said predetermined width of said flanges (extensions from walls 3, 4, 5, 6 in Fig. 6) on said posts (two of profiled members shown in Fig. 6), such that said beams (91, 92) mate with any one of said flanges (extensions from walls 3, 4, 5, 6 in Fig. 6) along the length thereof in a flush relationship (see Fig. 11); and

a plurality of beam-to-post connectors (see structures extending from close ends of beams 91, 92 in Fig. 10) having first portions (portions inside ends of beams 91, 92) thereof operably connected with the ends of said beams (91, 91), and second portions (ends extending from beams 91, 92 in Fig. 10) thereof detachably retained in said slots (24, 25, 26, 27 in Fig. 6) in said flanges (extensions from walls 3, 4, 5, 6 in Fig. 6) on said posts (two of profiled members in Fig. 6) for supporting said beams (91, 92) at a

variety of different orientations and elevations along said posts (two of profiled members in Fig. 6).

As to claim 135 (and as best understood despite the 35 U.S.C. § 112, second paragraph, indefiniteness discussed above), STRASSLE '319 discloses the post and beam furniture system of claim 134 as discussed above, and STRASSLE '319 also discloses a plurality of partition accessories (115, and unnumbered panel in Fig. 11) configured to equip said furniture system, and having mounts (52, 53 in Fig. 4, and outer ends of panel in Fig. 11) shaped to be detachably retained in said slots (24, 25, 26, 27 in Fig. 6) on said flanges (extensions from walls 3, 4, 5, 6 in Fig. 6) along said posts (two of profiled members in Fig. 6) to support said partition accessories (115, panel) at a variety of different orientations and elevations along said posts (two of profiled members shown in Fig. 6).

As to claim 136 (and as best understood despite the 35 U.S.C. § 112, second paragraph, indefiniteness discussed above), STRASSLE '319.discloses the post and beam furniture system of claim 135 as discussed above, and STRASSLE '319 also discloses that said beams (91, 92) include slots (any of top, bottom and sidewall slots of beams 91, 92 shown in Fig. 10) extending longitudinally therealong, shaped substantially similar to said slots (24, 25, 26, 27 in Fig. 6) on said flanges (extensions from walls 3, 4, 5, 6 in Fig. 6) of said posts (two of profiled members shown in Fig. 6) to facilitate mounting said partition accessories on both said posts (two of profiled members shown in Fig. 6) and said beams (91, 92) at a variety of different locations in

the workstations (the structure of the post and beam furniture system of STRASSLE '319 is capable of performing this intended use).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 137 and 116-118 is rejected under 35 U.S.C. 103(a) as being unpatentable over STRASSLE '319 (International Patent Application Publication No. WO 97/41319, but see English translation in U.S. Patent No. 6,185,887) in view of GOOSE (U.S. Patent No. 3,592,493).

As to claim 137 (and as best understood despite the 35 U.S.C. § 112, second paragraph, indefiniteness discussed above), STRASSLE '319 discloses the post and beam furniture system of claim 136 as discussed above, and STRASSLE '319 also discloses that said beams (91, 92) include uppermost faces with said slots (upper T-shaped slots in beams 91, 92 as shown in Fig. 10) extending centrally therealong.

STRASSLE '319 fails to explicitly disclose that said first portions of said beam-to-post connectors have at least portions thereof disposed in said second beam slots of said beams.

GOOSE discloses a post-to-beam connector (structure in Fig. 1) having a T-shaped central portion (10) for fitting in slots (108 in Fig. 3) of a post (100) and having a

portion (upper and lower 112) for fitting in upper and lower slots of a beam (101) for connecting the post (100) to the beam (101).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the post and beam furniture system of STRASSLE '139 by using a post-to-beam connector wherein the first portion has at least a portion thereof disposed in said one beam slot as disclosed by GOOSE in order to provide a more stable two-point beam-to-post connection connecting the top and bottom of the beam to the post instead of a single-point connection in the center of the beam.

As to claim 116, STRASSLE '319 discloses a post and beam furniture system for partitioning open office space (the structure of the furniture system of STRASSLE '319 is capable of performing this intended use), comprising:

a plurality of vertical posts (two profiled members of the embodiment as shown in Fig. 6 and also shown in use in Figs. 9 and 11) having lower ends thereof configured to be abuttingly supported on a floor surface of the open office space (the structure of the furniture system of STRASSLE '319 is capable of performing this intended use), and being arranged in a laterally spaced apart fashion;

at least one (one of two profiled members having configuration as shown in Fig. 6) of said posts (two of profiled members having configuration as shown in Fig. 6) having a cruciform plan shape (see Fig. 6) defined in part by a central portion (cruciform-shaped central portion 23 in Fig. 6), and four, substantially identical flanges (extensions from walls 3, 4, 5, 6 in Fig. 6) extending outwardly from said central portion (23 in Fig. 6) in a mutually perpendicular relationship to define triangularly-shaped

spaces (28, 29, 30, 31 in Fig. 6) between adjacent ones of said flanges (extensions from walls 3, 4, 5, 6 in Fig. 6);

each of said flanges (extensions from walls 3, 4, 5, 6 in Fig. 6) having a generally flat end face (7, 9, 11, 13 in Fig. 6) with a single vertical slot (24, 25, 26, 27 in Fig. 6) extending centrally therealong, and a predetermined width measured between opposite sidewalls of said flanges (extensions from walls 3, 4, 5, 6 in Fig. 6);

a plurality of horizontal beams (91, 92 in Fig. 10) having opposite ends thereof operably connected with said posts (1, 1) in a predetermined pattern to divide the open office space into a plurality of individual workstations (the structure of the furniture system of STRASSLE '319 is capable of performing this intended use);

at least one of said beams (91, 92) having a generally rectangular shape defined in part by opposite sidewalls spaced apart a predetermined width which is generally commensurate with said predetermined width of said flanges (extensions from walls 3, 4, 5, 6 in Fig. 6) on said one post (one of two profiled members configured as shown in Fig. 6) such that said one beam (91 or 92) mates with any one of said flanges (extensions from walls 3, 4, 5, 6 in Fig. 6) along the length thereof in a flush relationship (see Fig. 11);

at least one beam-to-post connector (one of two structures extending out of close ends of beams 91, 92 in Fig. 10) having a first portion (portion of connector inside of beam 91 or 92) thereof operably connected with one end of said one beam (either of 91, 92), and second portion (portion extending out of close end of beam 91 or 92 in Fig. 10) thereof detachably retained in said slot (24, 25, 26, 27 in Fig. 6) in one of said flanges

(extension from walls 3, 4, 5, 6 in Fig. 6) on said posts (two of profiled members configured as shown in Fig. 6) on said one post (one of two profiled members configured as shown in Fig. 6) for supporting said one beam (91 or 92) at a variety of different orientations and elevations along said one post (one of two profiled members configured as shown in Fig. 6); and

wherein said one beam (91 or 92) includes at least one slot (one of upper, lower or sidewall slots 93, 94 of beam 91 or 92 in Fig. 10) extending longitudinally therealong, shaped substantially similar to said slots (24, 25, 26, 27 of post in Fig. 6) on said flanges (extension from walls 3, 4, 5, 6 in Fig. 6) of said one post (one of two profiled members configured as shown in Fig. 6).

STRASSLE '319 fails to explicitly disclose that the first portion of said beam-to-post connector has at least a portion thereof disposed in said one beam slot.

GOOSE discloses a post-to-beam connector (structure in Fig. 1) having a T-shaped central portion (10) for fitting in slots (108 in Fig. 3) of a post (100) and having a portion (upper and lower 112) for fitting in upper and lower slots of a beam (101) for connecting the post (100) to the beam (101).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the post and beam furniture system of STRASSLE '139 by using a post-to-beam connector wherein the first portion has at least a portion thereof disposed in said one beam slot as disclosed by GOOSE in order to provide a more stable two-point beam-to-post connection connecting the top and bottom of the beam to the post instead of a single-point connection in the center of the beam.

As to claim 117, STRASSLE '319 in view of GOOSE discloses the post and beam furniture system of claim 116 as discussed above, and GOOSE also discloses said slot (upper slot on beam 101 in Fig. 3) on said one beam (101) defines a first beam slot (upper slot), said one beam (101) includes a lowermost face with a second beam slot (lower slot as more clearly shown in Fig. 2) extending centrally therealong, and said first portion (upper and lower 112 in Fig. 3) of said beam-to-post connector (structure in Fig. 1) has at least a portion (lower 112) thereof disposed in said second beam slot (lower slot).

As to claim 118, STRASSLE '319 in view of GOOSE discloses the post and beam furniture system of claim 117 as discussed above, and STRASSLE '319 also disclose said one beam (either of 91 or 92) includes a third beam slot (either 93 or 94 shown in Fig. 10) extending along one of the sidewalls of said one beam (either of 91 or 92), said one beam (either of 91 or 92) includes a fourth beam slot (either of 93 or 94 on opposite sidewall as shown in Fig. 10) extending along an opposite one of the sidewalls of said one beam (either of 91 or 92), and said first beam slot (upper slot of beam 91 or 92 in Fig. 10), said second beam slot (lower slot of beam 91 or 92 in Fig. 10), said third beam slot (93 or 94 on one of sidewalls of beam 91 or 92 in Fig. 10), said fourth beam slot (93 or 94 in opposite sidewall of beams 91 or 92 in Fig. 10), and said slots (24, 25, 26, 27 in Fig. 6) on said flanges (extensions from walls 3, 4, 5, 6 in Fig. 6) of said one post (one of two profiled members configured as shown in Fig. 6) each have a generally T-shaped configuration (see Figs. 6 and 10) which is similar in size and shape to receive a common fastener therein.

Claims 122 is rejected under 35 U.S.C. 103(a) as being unpatentable over STRASSLE '319 (International Patent Application Publication No. WO 97/41319, but see English translation in U.S. Patent No. 6,185,887) in view of GOOSE (U.S. Patent No. 3,592,493), as applied to claim 116 above, and further in view of BURDICK (U.S. Patent No. 4,382,642).

As to claim 122, STRASSLE '319 in view of GOOSE discloses the post and beam furniture system of claim 116 as discussed above.

Neither STRASSLE '319 nor GOOSE explicitly discloses an external horizontal wire manager detachably supported from said first beam slot on said one beam, and extending horizontally along said one beam.

BURDICK disclose an external horizontal wire manager (401 in Fig. 24) detachably supported from said first beam slot (132, 132) on said one beam (101), and extending horizontally along said one beam (101).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the post and beam furniture system of STRASSLE '319 in view of GOOSE by including an external horizontal wire manager detachably supported from said first beam slot on said one beam and extending horizontally along said one beam as taught by BURDICK in order to be able to organize any cables/wires used with the post and beam furniture system in the space above the beam.

Claims 79, 89, and 94 are rejected under 35 U.S.C. 103(a) as being unpatentable over LUDWIG ET AL. '169 (U.S. Patent No. 6,481,169) in view of any one of HALVORSON, JR. ET AL. (U.S. Patent No. 6,058,665), DOMBCHIK ET AL. (U.S. Patent No. 6,092,348), or MÜNCH ET AL. (U.S. Patent No. 5,921,050).

The applied reference (i.e., LUDWIG ET AL. '169) has either a common assignee or a common inventor with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art only under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 103(a) might be overcome by: (1) a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not an invention "by another"; (2) a showing of a date of invention for the claimed subject matter of the application which corresponds to subject matter disclosed but not claimed in the reference, prior to the effective U.S. filing date of the reference under 37 CFR 1.131; or (3) an oath or declaration under 37 CFR 1.130 stating that the application and reference are currently owned by the same party and that the inventor named in the application is the prior inventor under 35 U.S.C. 104, together with a terminal disclaimer in accordance with 37 CFR 1.321(c). This rejection might also be overcome by showing that the reference is disqualified under 35 U.S.C. 103(c) as prior art in a rejection under 35 U.S.C. 103(a). See MPEP § 706.02(l)(1) and § 706.02(l)(2).

It is believed that the present invention was owned by, or subject to an obligation of assignment to, the same entity as HALVORSON, JR. ET AL. at the time this invention was made, or was subject to a joint research agreement at the time this

invention was made. However, the reference to HALVORSON, JR. ET AL. additionally qualifies as prior art under another subsection of 35 U.S.C. 102 (i.e., 35 U.S.C. 102(a)), and therefore, is not disqualified as prior art under 35 U.S.C. 103(c).

Applicant may overcome the applied art either by a showing under 37 CFR 1.132 that the invention disclosed therein was derived from the invention of this application, and is therefore, not the invention "by another," or by antedating the applied art under 37 CFR 1.131.

As to claim 79, LUDWIG ET AL. '169 disclose a post and beam furniture system for partitioning open office space (the structure of the furniture system of LUDWIG ET AL. '169 is capable of performing this intended use), comprising:

a plurality of overhead beams (6, 6), each having opposite ends (26, 26);

a plurality of vertical posts (8a, 8d), each having a lower portion (9a, 9d) thereof adapted to be abuttingly supported in a freestanding fashion on a floor surface of the open office space in a laterally spaced apart relationship (the structure of the furniture system of LUDWIG ET AL. '169 is capable of performing this intended use), and an upper portion (11a, 11d) thereof operably connected with the opposite ends (26, 26) of said overhead beams (6, 6) to support said beams (6, 6) at a predetermined elevation above average user height (the structure of the furniture system of LUDWIG ET AL. '169 is capable of performing this intended use);

at least one (8a in Figs. 2A, 2B, and 3) of said posts (8a, 8d) having an X-shaped plan configuration defining four mutually perpendicular, outwardly extending flanges

(33a, 33a, 33a, 33a), each of which has an end face (34a) with a single T-shaped vertical slot (32a) extending centrally therealong;

at least one (8d in Figs. 2C, 2D, and 3) of said posts (8a, 8d) having a Y-shaped plan configuration defining three regularly spaced apart, outwardly extending flanges (33d, 33d, 33d), each of which, has an end face (34d, 34d, 34d) with a single T-shaped vertical slot (32d) extending centrally therealong;

a plurality of beam-to-post connectors (T-fasteners discussed at col. 5, lines 56-61) attached to the opposite ends (26, 26) of said beams (6, 6), and detachably retained in said slots (32a, 32d) of aligned pairs of said flanges (33a, 33d) on said posts (8a, 8d) to support said beams (6, 6) on said posts (8a, 8d) at said predetermined elevation.

LUDWIG ET AL. '169 fail to explicitly disclose that at least one of said beams includes integrally formed bosses with open ends at the opposite ends thereof to facilitate connecting therewith one of said beam-to-post connectors.

Any one of HALVORSON, JR. ET AL., DOMBCHIK ET AL., or MÜNCH ET AL. disclose that it is notoriously well known in the art to use hollow rectangular beams (65 in Fig. 5 of HALVORSON, JR. ET AL.; 40 in Figs. 3 and 4 of DOMBCHIK ET AL.; or 20 in Figs. 2-3 of MÜNCH ET AL.) with internal screw bosses (189 in Fig. 5 of HALVORSON, JR. ET AL.; 41, 42, 43 in Figs. 3 and 4 of DOMBCHIK ET AL.; or 26 in Figs. 2-3 of MÜNCH ET AL.) having open ends to facilitate connections.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the post and beam furniture system of LUDWIG ET AL. '169 by making the beam be hollow with internal screw bosses for connection purposes

as taught by any one of HALVORSON, JR. ET AL., DOMBCHIK ET AL., or MÜNCH ET AL. in order to provide for sure connections while lightening the weight of the beam and thus the system.

As to claim 89, LUDWIG ET AL. '169 disclose a post and beam furniture system for partitioning open office space (the structure of the furniture system of LUDWIG ET AL. '169 is capable of performing this intended use), comprising:

a plurality of horizontal beams (6, 6), each having opposite ends (26, 26);
a plurality of vertical posts (8a, 8d), each having a lower portion (9a, 9d) thereof adapted to be abuttingly supported in a freestanding fashion on a floor surface of the open office space in a laterally spaced apart relationship (the structure of the furniture system of LUDWIG ET AL. '169 is capable of performing this intended use), and an upper portion (11a, 11d) thereof operably connected with the opposite ends (26, 26) of said beams (6, 6) to support said beams (6, 6) at a predetermined elevation (the structure of the furniture system of LUDWIG ET AL. '169 is capable of performing this intended use);

at least one (8a in Figs. 2A, 2B, and 3) of said posts (8a, 8d) having an X-shaped plan configuration defining four mutually perpendicular, outwardly extending flanges (33a, 33a, 33a, 33a), each of which has an end face (34a) with a single T-shaped vertical slot (32a) extending centrally therealong;

at least one (8d in Figs. 2C, 2D, and 3) of said posts (8a, 8d) having a Y-shaped plan configuration defining three regularly spaced apart, outwardly extending flanges

(33d, 33d, 33d), each of which, has an end face (34d, 34d, 34d) with a single T-shaped vertical slot (32d) extending centrally therealong;

a plurality of beam-to-post connectors (T-fasteners discussed at col. 5, lines 56-61) attached to the opposite ends (26, 26) of said beams (6, 6), and detachably retained in said slots (32a, 32d) of aligned pairs of said flanges (33a, 33d) on said posts (8a, 8d) to support said beams (6, 6) on said posts (8a, 8d) at said predetermined elevation; and

a plurality of partition accessories (70 in Fig. 14) to equip said furniture system, each configured differently to customize said furniture system for various users, and having a mount portion (36) thereof detachably retained in said slot (32) of one of said posts (8; see Fig. 17).

LUDWIG ET AL. '169 fails to explicitly disclose that at least one of said beams includes integrally formed bosses with open ends at the opposite ends thereof to facilitate connecting therewith one of said beam-to-post connectors.

Any one of HALVORSON, JR. ET AL., DOMBCHIK ET AL., or MÜNCH ET AL. disclose that it is notoriously well known in the art to use hollow rectangular beams (65 in Fig. 5 of HALVORSON, JR. ET AL.; 40 in Figs. 3 and 4 of DOMBCHIK ET AL.; or 20 in Figs. 2-3 of MÜNCH ET AL.) with internal screw bosses (189 in Fig. 5 of HALVORSON, JR. ET AL.; 41, 42, 43 in Figs. 3 and 4 of DOMBCHIK ET AL.; or 26 in Figs. 2-3 of MÜNCH ET AL.) having open ends to facilitate connections.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the post and beam furniture system of LUDWIG ET AL. '169 by making the beam be hollow with internal screw bosses for connection purposes

as taught by any one of HALVORSON, JR. ET AL., DOMBCHIK ET AL., or MÜNCH ET AL. in order to provide for sure connections while lightening the weight of the beam and thus the system.

As to claim 94, LUDWIG ET AL. '169 disclose that in a post and beam furniture system for partitioning open office space (the structure of the furniture system of LUDWIG ET AL. '169 is capable of performing this intended use), the improvement comprising:

at least one horizontal beam (6) having opposite ends (26, 26);

at least two vertical posts (8a, 8a), each having a lower portion (9a, 9a) thereof adapted to be abuttingly supported in a freestanding fashion on a floor surface of the open office space in a laterally spaced apart relationship (the structure of the furniture system of LUDWIG ET AL. '169 is capable of performing this intended use), and an upper portion (11a, 11a) thereof operably connected with an associated one of the opposite ends (26, 26) of said horizontal beam (6) to support said beam (6) at a predetermined elevation (the structure of the furniture system of LUDWIG ET AL. '169 is capable of performing this intended use);

said posts (8a, 8a) each having an X-shaped plan configuration defining four mutually perpendicular, outwardly extending flanges (33a, 33a, 33a, 33a), each of which has an end face (34a) with a single T-shaped vertical slot (32a) extending centrally therealong; and

at least two beam-to-post connectors (T-fasteners discussed at col. 5, lines 56-61) attached to the opposite ends (26, 26) of said beam (6), and detachably retained in

said slot (32a, 32a) of an aligned pair of said flanges (33a, 33a) on said posts (8a, 8a) to support said beam (6) on said posts (8a, 8a) at said predetermined elevation.

LUDWIG ET AL. '169 fails to explicitly disclose that at least one of said beams includes integrally formed bosses with open ends at the opposite ends thereof to facilitate connecting therewith one of said beam-to-post connectors.

Any one of HALVORSON, JR. ET AL., DOMBCHIK ET AL., or MÜNCH ET AL. disclose that it is notoriously well known in the art to use hollow rectangular beams (65 in Fig. 5 of HALVORSON, JR. ET AL.; 40 in Figs. 3 and 4 of DOMBCHIK ET AL.; or 20 in Figs. 2-3 of MÜNCH ET AL.) with internal screw bosses (189 in Fig. 5 of HALVORSON, JR. ET AL.; 41, 42, 43 in Figs. 3 and 4 of DOMBCHIK ET AL.; or 26 in Figs. 2-3 of MÜNCH ET AL.) having open ends to facilitate connections.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the post and beam furniture system of LUDWIG ET AL. '169 by making the beam be hollow with internal screw bosses for connection purposes as taught by any one of HALVORSON, JR. ET AL., DOMBCHIK ET AL., or MÜNCH ET AL. in order to provide for sure connections while lightening the weight of the beam and thus the system.

Claims 79 and 89 are rejected under 35 U.S.C. 103(a) as being unpatentable over STRASSLE '319 (International Patent Application Publication No. WO 97/41319, but see English translation in U.S. Patent No. 6,185,887) in view of NEWHOUSE (U.S. Patent No. 4,914,873) and any one of HALVORSON, JR. ET AL.

(U.S. Patent No. 6,058,665), DOMBCHIK ET AL. (U.S. Patent No. 6,092,348), or
MÜNCH ET AL. (U.S. Patent No. 5,921,050).

It is believed that the present invention was owned by, or subject to an obligation of assignment to, the same entity as HALVORSON, JR. ET AL. at the time this invention was made, or was subject to a joint research agreement at the time this invention was made. However, the reference to HALVORSON, JR. ET AL. additionally qualifies as prior art under another subsection of 35 U.S.C. 102 (i.e., 35 U.S.C. 102(a)), and therefore, is not disqualified as prior art under 35 U.S.C. 103(c).

Applicant may overcome the applied art either by a showing under 37 CFR 1.132 that the invention disclosed therein was derived from the invention of this application, and is therefore, not the invention "by another," or by antedating the applied art under 37 CFR 1.131.

As to claim 79, STRASSLE '319 discloses a post and beam furniture system for partitioning open office space (the structure of the furniture system of STRASSLE '319 is capable of performing this intended use), comprising:

a plurality of overhead beams (two of 91 in Fig. 10), each having opposite ends; a plurality of vertical posts (two of profiled members configured as shown in Fig. 6 and also shown in use in Figs. 9 and 11), each having a lower portion thereof adapted to be abuttingly supported in a freestanding fashion on a floor surface of the open office space in a laterally spaced apart relationship (the structure of the post and beam furniture system of STRASSLE '319 is capable of performing this intended use), and an upper portion thereof operably connected with the opposite ends of said overhead

beams (91, 91) to support said beams (91, 91) at a predetermined elevation above average user height (the structure of the post and beam furniture system of STRASSLE '319 is capable of performing this intended use);

at least one of said posts (two of profiled members configured as shown in Fig. 6) having an X-shaped plan configuration (see Fig. 6) defining four mutually perpendicular, outwardly extending flanges (extensions from walls 3, 4, 5, 6 of Fig. 6), each of which has an end face (7, 9, 11, 13 in Fig. 6) with a single T-shaped vertical slot (24, 25, 26, 27 in Fig. 6) extending centrally therealong; and

a plurality of beam-to-post connectors (see structure extending out of close ends of beam 91 in Fig. 10) attached to the opposite ends of said beams (91, 91), and detachably retained in said slots (24, 25, 26, 27 in Fig. 6) of aligned pairs of said flanges (extension from walls 3, 4, 5, 6 in Fig. 6) on said posts (two of profiled members configured as shown in Fig. 6) to support said beams (91, 91) on said posts (two of profiled members configured as shown in Fig. 6) at said predetermined elevation.

STRASSLE '319 fail to explicitly disclose that at least one of said posts having a Y-shaped plan configuration defining three regularly spaced apart, outwardly extending flanges, each of which, has an end face with a single T-shaped vertical slot extending centrally therealong, and that at least one of said beams includes integrally formed bosses with open ends at the opposite ends thereof to facilitate connecting therewith one of said beam-to-post connectors.

NEWHOUSE discloses that it is well known in the art to use both X-shaped posts (see Fig. 17; 36, 36, 36, 36, and 208 form a single X-shaped post) at the junction of four

walls with Y-shaped posts (see Fig. 15; 36, 36, 36, and 204 form a single Y-shaped post) at the junction of three walls, wherein said post (36, 36, 36, and 204 in Fig. 7) has a Y-shaped plan configuration defining three regularly spaced apart, outwardly extending flanges (36, 36, 36).

Any one of HALVORSON, JR. ET AL., DOMBCHIK ET AL., or MÜNCH ET AL. disclose that it is notoriously well known in the art to use hollow rectangular beams (65 in Fig. 5 of HALVORSON, JR. ET AL.; 40 in Figs. 3 and 4 of DOMBCHIK ET AL.; or 20 in Figs. 2-3 of MÜNCH ET AL.) with internal screw bosses (189 in Fig. 5 of HALVORSON, JR. ET AL.; 41, 42, 43 in Figs. 3 and 4 of DOMBCHIK ET AL.; or 26 in Figs. 2-3 of MÜNCH ET AL.) having open ends to facilitate connections.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the post and beam furniture system of STRASSLE '319 by: (1) making one of the posts be Y-shaped as taught by NEWHOUSE in order to be able to have various configurations of furniture systems having both three and four wall junctions; and (2) making the beam have internal screw bosses for connection purposes as taught by any one of HALVORSON, JR. ET AL., DOMBCHIK ET AL., or MÜNCH ET AL. in order to provide for sure connections while lightening the weight of the beam and thus the system.

As to claim 89, STRASSLE '319 discloses a post and beam furniture system for partitioning open office space (the structure of the furniture system of STRASSLE '319 is capable of performing this intended use), comprising:

a plurality of horizontal beams (91, 92 in Fig. 10), each having opposite ends;

a plurality of vertical posts (two of profiled members configured as shown in Fig. 6 and also shown in use in Figs. 9 and 11), each having a lower portion thereof adapted to be abuttingly supported in a freestanding fashion on a floor surface of the open office space in a laterally spaced apart relationship (the structure of the post and beam furniture system of STRASSLE '319 is capable of performing this intended use), and an upper portion thereof operably connected with the opposite ends of said beams (91, 92) to support said beams (91, 92) at a predetermined elevation (the structure of the furniture system of STRASSLE '319 is capable of performing this intended use);

at least one of said posts (two of profiled members configured as shown in Fig. 6) having an X-shaped plan configuration (see Fig. 6) defining four mutually perpendicular, outwardly extending flanges (extensions from walls 3, 4, 5, 6 of Fig. 6), each of which has an end face (7, 9, 11, 13 in Fig. 6) with a single T-shaped vertical slot (24, 25, 26, 27 in Fig. 6) extending centrally therealong;

a plurality of beam-to-post connectors (see structures extending out of close ends of beams 91, 92 in Fig. 10) attached to the opposite ends of said beams (91, 92), and detachably retained in said slots (24, 25, 26, 27 in Fig. 6) of aligned pairs of said flanges (extension from walls 3, 4, 5, 6 in Fig. 6) on said posts (two of profiled members configured as shown in Fig. 6) to support said beams (91, 92) on said posts (two of profiled members configured as shown in Fig. 6) at said predetermined elevation; and

a plurality of partition accessories (115 in Fig. 11, and unnumbered panel in Fig. 11) to equip said furniture system, each configured differently to customize said furniture system for various users, and having a mount portion (52, 53 in Fig. 14 for 115

in Fig. 11, and end of panel in Fig. 11) thereof detachably retained in said slot (one of 24, 25, 26, 27 in Fig. 6) of one of said posts (two of profiled members configured as shown in Fig. 6).

STRASSLE '319 fail to explicitly disclose that at least one of said posts having a Y-shaped plan configuration defining three regularly spaced apart, outwardly extending flanges, each of which, has an end face with a single T-shaped vertical slot extending centrally therealong, and that at least one of said beams includes integrally formed bosses with open ends at the opposite ends thereof to facilitate connecting therewith one of said beam-to-post connectors.

NEWHOUSE discloses that it is well known in the art to use both X-shaped posts (see Fig. 17; 36, 36, 36, 36, and 208 form a single X-shaped post) at the junction of four walls with Y-shaped posts (see Fig. 15; 36, 36, 36, and 204 form a single Y-shaped post) at the junction of three walls, wherein said post (36, 36, 36, and 204 in Fig. 7) has a Y-shaped plan configuration defining three regularly spaced apart, outwardly extending flanges (36, 36, 36).

Any one of HALVORSON, JR. ET AL., DOMBCHIK ET AL., or MÜNCH ET AL. disclose that it is notoriously well known in the art to use hollow rectangular beams (65 in Fig. 5 of HALVORSON, JR. ET AL.; 40 in Figs. 3 and 4 of DOMBCHIK ET AL.; or 20 in Figs. 2-3 of MÜNCH ET AL.) with internal screw bosses (189 in Fig. 5 of HALVORSON, JR. ET AL.; 41, 42, 43 in Figs. 3 and 4 of DOMBCHIK ET AL.; or 26 in Figs. 2-3 of MÜNCH ET AL.) having open ends to facilitate connections.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the post and beam furniture system of STRASSLE '319 by: (1) making one of the posts be Y-shaped as taught by NEWHOUSE in order to be able to have various configurations of furniture systems having both three and four wall junctions; and (2) making the beam have internal screw bosses for connection purposes as taught by any one of HALVORSON, JR. ET AL., DOMBCHIK ET AL., or MÜNCH ET AL. in order to provide for sure connections while lightening the weight of the beam and thus the system.

Claim 94 is rejected under 35 U.S.C. 103(a) as being unpatentable over STRASSLE '319 (International Patent Application Publication No. WO 97/41319, but see English translation in U.S. Patent No. 6,185,887) in view of any one of HALVORSON, JR. ET AL. (U.S. Patent No. 6,058,665), DOMBCHIK ET AL. (U.S. Patent No. 6,092,348), or MÜNCH ET AL. (U.S. Patent No. 5,921,050).

It is believed that that the present invention was owned by, or subject to an obligation of assignment to, the same entity as HALVORSON, JR. ET AL. at the time this invention was made, or was subject to a joint research agreement at the time this invention was made. However, the reference to HALVORSON, JR. ET AL. additionally qualifies as prior art under another subsection of 35 U.S.C. 102 (i.e., 35 U.S.C. 102(a)), and therefore, is not disqualified as prior art under 35 U.S.C. 103(c).

Applicant may overcome the applied art either by a showing under 37 CFR 1.132 that the invention disclosed therein was derived from the invention of this application,

and is therefore, not the invention "by another," or by antedating the applied art under 37 CFR 1.131.

As to claim 94, STRASSLE '319 discloses that in a post and beam furniture system for partitioning open office space (the structure of the post and beam furniture system of STRASSLE '319 is capable of performing this intended use), the improvement comprising:

at least one horizontal beams (one of 91, 92 in Fig. 10) having opposite ends;

at least two vertical posts (two of profiled members configured as shown in Fig. 6 and also shown in use in Figs. 9 and 11), each having a lower portion thereof adapted to be abuttingly supported in a freestanding fashion on a floor surface of the open office space in a laterally spaced apart relationship (the structure of the post and beam furniture system of STRASSLE '319 is capable of performing this intended use), and an upper portion thereof operably connected with the opposite ends of said beam (either of 91, 92) to support said beam (either of 91, 92) at a predetermined elevation (the structure of the post and beam furniture system of STRASSLE '319 is capable of performing this intended use);

said posts (two of profiled members configured as shown in Fig. 6) each having an X-shaped plan configuration defining four mutually perpendicular, outwardly extending flanges (extensions from walls 3, 4, 5, 6 in Fig. 6), each of which has an end face (7, 9, 11, 13 in Fig. 6) with a single T-shaped vertical slot (24, 25, 26, 27 in Fig. 6) extending centrally therealong; and

at least two beam-to-post connectors (see structures extending out of close ends of beams 91, 92 in Fig. 10) attached to the opposite ends of said beam (either of 91, 92), and detachably retained in said slots (24, 25, 26, 27 in Fig. 6) of an aligned pair of said flanges (extension from walls 3, 4, 5, 6 in Fig. 6) on said posts (two of profiled members configured as shown in Fig. 6) to support said beam (either of 91, 92) on said posts (two of profiled members configured as shown in Fig. 6) at said predetermined elevation..

STRASSLE '319 fail to explicitly disclose that at least one of said beams includes integrally formed bosses with open ends at the opposite ends thereof to facilitate connecting therewith one of said beam-to-post connectors.

Any one of HALVORSON, JR. ET AL., DOMBCHIK ET AL., or MÜNCH ET AL. disclose that it is notoriously well known in the art to use hollow rectangular beams (65 in Fig. 5 of HALVORSON, JR. ET AL.; 40 in Figs. 3 and 4 of DOMBCHIK ET AL.; or 20 in Figs. 2-3 of MÜNCH ET AL.) with internal screw bosses (189 in Fig. 5 of HALVORSON, JR. ET AL.; 41, 42, 43 in Figs. 3 and 4 of DOMBCHIK ET AL.; or 26 in Figs. 2-3 of MÜNCH ET AL.) having open ends to facilitate connections.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the post and beam furniture system of STRASSLE '319 by making the beam be hollow with internal screw bosses for connection purposes as taught by any one of HALVORSON, JR. ET AL., DOMBCHIK ET AL., or MÜNCH ET AL. in order to provide for sure connections while lightening the weight of the beam and thus the system.

Claims 123-125, 140-142, 82 and 83 are rejected under 35 U.S.C. 103(a) as being unpatentable over STRASSLE '319 (International Patent Application Publication No. WO 97/41319, but see English translation in U.S. Patent No. 6,185,887) in view of NEWHOUSE (U.S. Patent No. 4,914,873).

As to claim 123, STRASSLE '319 discloses a post and beam furniture system for partitioning open office space (the structure of the post and beam furniture system of STRASSLE '319 is capable of performing this intended use), comprising:

a plurality of vertical posts (two of profiled members configured as shown in Fig. 6 and also shown in use in Figs. 9 and 11) having lower ends thereof configured to be abuttingly supported on a floor surface of the open office space (the structure of the post and beam furniture system of STRASSLE '319 is capable of performing this intended use), and being arranged in a laterally spaced apart fashion;

each of said flanges (extensions from walls 3, 4, 5, 6 in Fig. 6) having a generally flat end face (7, 9, 11, 13 in Fig. 6) with a single vertical slot (24, 25, 26, 27 in Fig. 6) extending centrally therealong, and a predetermined width measured between opposite sidewalls of said flanges (extensions from walls 3, 4, 5, 6 in Fig. 6);

a plurality of horizontal beams (91, 92 in Fig. 10) having opposite ends thereof operably connected with said posts (two of profiled members configured as shown in Fig. 6) in a predetermined pattern to divide the open office space into a plurality of individual workstations (the structure of the post and beam furniture system of STRASSLE '319 is capable of performing this intended use);

at least one of said beams (91, 92) having a generally rectangular shape defined in part by opposite sidewalls spaced apart a predetermined width which is generally commensurate with said predetermined width of said flanges (extensions from walls 3, 4, 5, 6 in Fig. 6) on said one post (one of two profiled members configured as shown in Fig. 6) such that said one beam (91 or 92) mates with any one of said flanges (extensions from walls 3, 4, 5, 6 in Fig. 6) along the length thereof in a flush relationship (see Fig. 11); and

at least one beam-to-post connector (one of structures extending out of close ends of beams 91, 92 in Fig. 10) having a first portion (portion of connector inside of beam 91 or 92 in Fig. 10) thereof operably connected with one end of said one beam (either of 91, 92), and second portion (portion extending out of beam 91 or 92 in Fig. 10) thereof detachably retained in said slot (24, 25, 26, 27 in Fig. 6) in one of said flanges (extension from walls 3, 4, 5, 6 in Fig. 6) on said one post (one of two profiled members configured as shown in Fig. 6) for supporting said one beam (91 or 92) at a variety of different orientations and elevations along said one post (one of two profiled members configured as shown in Fig. 6).

STRASSLE '319 fails to explicitly disclose at least one of said posts having a Y-shaped plan configuration defined in part by a central portion, and three, substantially identical flanges extending outwardly from said central portion in a generally 120 degree mutual relationship to define triangularly-shaped spaces between adjacent ones of said flanges.

NEWHOUSE discloses that it is well known in the art to use Y-shaped posts (see Fig. 15; 36, 36, 36, and 204 form a single Y-shaped post) at the junction of three walls, wherein said post (36, 36, 36, and 204 in Fig. 7) has a Y-shaped plan configuration defining three regularly spaced apart, outwardly extending flanges (36, 36, 36) extending outwardly from said central portion in a generally 120 degree mutual relationship to define triangularly-shaped spaces between adjacent ones of said flanges.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the post and beam furniture system of STRASSLE '319 by making one of the posts be Y-shaped as taught by NEWHOUSE in order to be able to have various configurations of furniture systems having three wall junctions.

As to claim 124, STRASSLE '319 in view of NEWHOUSE discloses the post and beam furniture system of claim 123 as discussed above, and STRASSLE '319 also discloses a plurality of partition accessories (115 in Fig. 11, and unnumbered panel in Fig. 11) to equip said furniture system, and having mounts (52, 53 in Fig. 14 for 115 in Fig. 11, and end of panel in Fig. 11) shaped to be detachably retained in said slot (24, 25, 26, 27 in Fig. 6) on an associated one of said flanges (extensions from walls 3, 4, 5, 6 in Fig. 6) along said one post (one of two profiled members configured as shown in Fig. 6) to support said partition accessories (115, panel) at a variety of different orientations and elevations (the structure of the post and beam furniture system of STRASSLE '319 is capable of performing this intended use) along said one post (one of two profiled members configured as shown in Fig. 6).

As to claim 125, STRASSLE '319 in view of NEWHOUSE discloses the post and beam furniture system of claim 124 as discussed above, and STRASSLE '319 also discloses that said one beam (91 or 92) includes at least one slot (upper or lower slot of beam 91 or 92) extending longitudinally therealong, shaped substantially similar to said slots (24, 25, 26, 27 in Fig. 6) on said flanges (extensions from walls 3, 4, 5, 6 in Fig. 6) of said one post (one of two profiled members configured as shown in Fig. 6) to facilitate mounting said partition accessories (115, panel) on both said one post (one of two profiled members configured as shown in Fig. 6) and said one beam (91 or 92) at a variety of different locations in the workstations.

As to claim 140, STRASSLE '319 discloses that in a post and beam furniture system for partitioning open office space (the structure of the furniture system of STRASSLE '319 is capable of performing this intended use), the improvement comprising:

a plurality of vertical posts (two profiled members configured as shown in Fig. 6 and also shown in use in Figs. 9 and 11) having lower ends thereof configured to be abuttingly supported on a floor surface of the open office space (the structure of the furniture system of STRASSLE '319 is capable of performing this intended use), and being arranged in a laterally spaced apart fashion;

each of said flanges (extensions from walls 3, 4, 5, 6 in Fig. 6) having a generally flat end face (7, 9, 11, 13 in Fig. 6) with a single vertical slot (24, 25, 26, 27 in Fig. 6) extending centrally therealong, and a predetermined width measured between opposite sidewalls of said flanges (extensions from walls 3, 4, 5, 6 in Fig. 6);

a plurality of horizontal beams (91, 92 in Fig. 10) having opposite ends thereof operably connected with said posts (two profiled members configured as shown in Fig. 6) in a predetermined pattern to divide the open office space into a plurality of individual workstations (the structure of the post and beam furniture system of STRASSLE '319 is capable of performing this intended use);

said beams (91, 92) having a generally rectangular shape defined in part by opposite sidewalls spaced apart a predetermined width which is generally commensurate with said predetermined width of said flanges (extensions from walls 3, 4, 5, 6 in Fig. 6) on said posts (two profiled members configured as shown in Fig. 6) such that said beams (91, 92) mate with anyone of said flanges (extensions from walls 3, 4, 5, 6 in Fig. 6) along the length thereof in a flush relationship (see Fig. 11); and

a plurality of beam-to-post connectors (structures extending out of close ends of beams 91, 92 in Fig. 10) having first portions (portions of connector inside of beam 91, 92 in Fig. 10) thereof operably connected with the end of said beams (91, 92), and second portions (portions extending out of beams 91, 92 in Fig. 10) thereof detachably retained in said slots (24, 25, 26, 27 in Fig. 6) in said flanges (extension from walls 3, 4, 5, 6 in Fig. 6) on said posts (two profiled members configured as shown in Fig. 6) for supporting said beams (91, 92) at a variety of different orientations and elevations along said posts (two profiled members configured as shown in Fig. 6).

STRASSLE '319 fails to explicitly disclose said posts having a Y-shaped plan configuration defined in part by a central portion, and three, substantially identical flanges extending outwardly from said central portion in a generally 120 degree mutual

relationship to define triangularly-shaped spaces between adjacent ones of said flanges.

NEWHOUSE discloses that it is well known in the art to use Y-shaped posts (see Fig. 15; 36, 36, 36, and 204 form a single Y-shaped post) at the junction of three walls, wherein said post (36, 36, 36, and 204 in Fig. 7) has a Y-shaped plan configuration defining three regularly spaced apart, outwardly extending flanges (36, 36, 36) extending outwardly from said central portion in a generally 120 degree mutual relationship to define triangularly-shaped spaces between adjacent ones of said flanges.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the post and beam furniture system of STRASSLE '319 by making one of the posts be Y-shaped as taught by NEWHOUSE in order to be able to have various configurations of furniture systems having three wall junctions.

As to claim 141, STRASSLE '319 in view of NEWHOUSE discloses the post and beam furniture system of claim 140 as discussed above, and STRASSLE '319 also discloses a plurality of partition accessories (115 in Fig. 11, and unnumbered panel in Fig. 11) configured to equip said furniture system, and having mounts (52, 53 in Fig. 14 for 115 in Fig. 11, and end of panel in Fig. 11) shaped to be detachably retained in said slots (24, 25, 26, 27 in Fig. 6) on said flanges (extensions from walls 3, 4, 5, 6 in Fig. 6) along said posts (two profiled members configured as shown in Fig. 6) to support said partition accessories (115 in Fig. 11, and unnumbered panel in Fig. 11) at a variety of

different orientations and elevations along said posts (two profiled members configured as shown in Fig. 6).

As to claim 142, STRASSLE '319 in view of NEWHOUSE discloses the post and beam furniture system of claim 141 as discussed above, and STRASSLE '319 also discloses that said beams (91, 92) include slots (upper, lower, and sidewall slots in 91 and 92) extending longitudinally therealong, shaped substantially similar to said slots (24, 25, 26, 27 in Fig. 6) on said flanges (extensions from walls 3, 4, 5, 6 in Fig. 6) of said posts (two profiled members configured as shown in Fig. 6) to facilitate mounting said partition accessories on both said posts and said beams at a variety of different locations in the workstations (the post and beam furniture system structure of STRASSLE '319 is capable of performing this intended use).

As to claim 82, STRASSLE '319 discloses a post and beam furniture system for partitioning open office space (the structure of the post and beam furniture system of STRASSLE '319 is capable of performing this intended use), comprising:

a plurality of horizontal beams (91, 92 in Fig. 10), each having opposite ends; a plurality of vertical posts (two of profiled members configured as shown in Fig. 6, and shown in use in Figs. 9 and 11), each having a lower portion thereof adapted to be abuttingly supported in a freestanding fashion on a floor surface of the open office space in a laterally spaced apart relationship (the structure of the post and beam furniture system of STRASSLE '319 is capable of performing this intended use), and an upper portion thereof operably connected with the opposite ends of said beams (91, 92 in Fig. 10) to support said beams (91, 92 in Fig. 10) at a predetermined elevation (the

structure of the post and beam furniture system of STRASSLE '319 is capable of performing this intended use);

at least one of said posts (two of profiled members configured as shown in Fig. 6) having an X-shaped plan configuration (see Fig. 6) defining four mutually perpendicular, outwardly extending flanges (extensions from walls 3, 4, 5, 6 in Fig. 6), each of which has an end face (7, 9, 11, 13 in Fig. 6) with a single T-shaped vertical slot (24, 25, 26, 27 in Fig. 6) extending centrally therealong;

a plurality of beam-to-post connectors (see structures extending out of close ends of beams 91, 92 in Fig. 10) attached to the opposite ends of said beams (91, 92 in Fig. 10), and detachably retained in said slots (24, 25, 26, 27 in Fig. 6) of aligned pairs of said flanges (extensions from walls 3, 4, 5, 6 in Fig. 6) on said posts (two profiled members configured as shown in Fig. 6) to support said beams (91, 92 in Fig. 10) on said posts (two profiled members configured as shown in Fig. 6) at said predetermined elevation;

a plurality of partition accessories (115, and unnumbered panel in Fig. 11) to equip said furniture system, each configured differently to customize said furniture system for various users (the post and beam furniture system of STRASSLE '319 is capable of performing this intended use), and having a mount portion (52, 53 in Fig. 4, outer ends of panel) thereof detachably retained in said slot (24, 25, 26, 27 in Fig. 6) of one of said posts (two profiled members configured as shown in Fig. 6); and

wherein at least one of said beams (either 91 or 92) includes opposite side faces, each of which includes a T-shaped hanger slot (93 or 94 in Fig. 10) extending longitudinally therealong;

each of said slots (24, 25, 26, 27 in Fig. 6, and 93 or 94 in Fig. 10) in said posts (two profiled members configured as shown in Fig. 6) and said beams (91, 92 in Fig. 10) is generally similar in size and shape to receive the mount portion (52, 53 in Fig. 4, panel ends) of said accessories (115, panel) therein; and

said partition accessories include an external wire manager (any of 62 in Fig. 7, 60 in Fig. 8, or 95, 96 in Fig. 10) which are mountable on one of slots 24, 25, 26, 27, 93, 94 to retain wires therein) with a mount portion (77/75, 77'/75' in Fig. 7) thereof shaped to be detachably retained in one of said slots (24, 25, 26, 27, 28, 93, 94) on said posts (two profiled members configured as shown in Fig. 6) and said beams (91, 92 in Fig. 10).

STRASSLE '319 fails to explicitly disclose that at least one of said posts having a Y-shaped plan configuration defining three regularly spaced apart, outwardly extending flanges, each of which has an end face with a single T-shaped vertical slot extending centrally therealong.

NEWHOUSE discloses that it is well known in the art to use both X-shaped posts (see Fig. 17; 36, 36, 36, 36, and 208 form a single X-shaped post) at the junction of four walls with Y-shaped posts (see Fig. 15; 36, 36, 36, and 204 form a single Y-shaped post) at the junction of three walls, wherein said post (36, 36, 36, and 204 in Fig. 7) has

a Y-shaped plan configuration defining three regularly spaced apart, outwardly extending flanges (36, 36, 36).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the post and beam furniture system of STRASSLE '319 by making one of the posts be Y-shaped as taught by NEWHOUSE in order to be able to have various configurations of furniture systems having three wall junctions.

As to claim 83, STRASSLE '319 in view of NEWHOUSE discloses the post and beam furniture system of claim 82 as discussed above, and STRASSLE '319 also discloses that said partition accessories (115, panel) include an in-fill panel (panel) with a mount portion (outer ends of panel) thereof shaped to be detachably retained in one of said slots (24, 25, 26, 27 of Fig. 6 or upper and lower slots of beams 91, 92 in Fig. 10) on said posts (two profiled members configured as shown in Fig. 6) and said beams (91, 92 in Fig. 10).

Claims 126-130 and 143 are rejected under 35 U.S.C. 103(a) as being unpatentable over STRASSLE '319 (International Patent Application Publication No. WO 97/41319, but see English translation in U.S. Patent No. 6,185,887) in view of NEWHOUSE (U.S. Patent No. 4,914,873), as applied to claim 125 above, and further in view of GOOSE (U.S. Patent No. 3,592,493).

As to claim 126, STRASSLE '319 in view of NEWHOUSE discloses the post and beam furniture system of claim 125 as discussed above, and STRASSLE '319 discloses that said one beam (either of 91 or 92) includes an uppermost face with said

slot extending centrally therealong (see Fig. 10 showing beams 91 or 92 having upper T-shaped slots).

Neither STRASSLE '319 nor NEWHOUSE explicitly discloses that said first portion of said beam-to-post connector has at least a portion thereof disposed in said one beam slot.

GOOSE discloses a post-to-beam connector (structure in Fig. 1) having a T-shaped central portion (10) for fitting in slots (108 in Fig. 3) of a post (100) and having a portion (upper and lower 112) for fitting in upper and lower slots of a beam (101) for connecting the post (100) to the beam (101).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the post and beam furniture system of STRASSLE '319 in view of NEWHOUSE by using a post-to-beam connector wherein the first portion has at least a portion thereof disposed in said one beam slot as disclosed by GOOSE in order to provide a more stable two-point beam-to-post connection connecting the top and bottom of the beam to the post instead of a single-point connection in the center of the beam.

As to claim 127, STRASSLE '319 in view of NEWHOUSE and GOOSE discloses the post and beam furniture system of claim 126 as discussed above, and the resulting post and beam furniture system from the combination of STRASSLE '319 in view of NEWHOUSE and GOOSE also discloses that said slot (upper slot of STRASSLE '319) on said one beam (91 or 92 of STRASSLE '319) defines a first beam slot (upper slot of STRASSLE '319), said one beam (91 or 92 of STRASSLE '319)

includes a lowermost face with a second beam slot (lower slot of beams 91 or 92 of STRASSLE '319) extending centrally therealong, and said first portion (upper and lower 112 of GOOSE) of said beam-to-post connector (Fig. 1 of GOOSE) has at least a portion (lower 112 of GOOSE) thereof disposed in said second beam slot (lower slot of beam 91 or 92 of STRASSLE '319).

As to claim 128, STRASSLE '319 in view of NEWHOUSE and GOOSE
discloses the post and beam furniture system of claim 127 as discussed above, and the resulting post and beam furniture system from the combination of STRASSLE '319 in view of NEWHOUSE and GOOSE also discloses that said one beam (91 or 92 of STRASSLE '319) includes a third beam slot (one of four T-shaped slots in side wall of STRASSLE '319) extending along one of the sidewalls of said one beam (91 or 92 of STRASSLE '319).

As to claim 129, STRASSLE '319 in view of NEWHOUSE and GOOSE
discloses the post and beam furniture system of claim 128 as discussed above, and the resulting post and beam furniture system from the combination of STRASSLE '319 in view of NEWHOUSE and GOOSE also discloses that said one beam (91 or 92 of STRASSLE '319) includes a fourth beam slot (one of two T-shaped slots in opposite side wall of STRASSLE '319) extending along an opposite one of the sidewalls of said one beam (91 or 92 of STRASSLE '319).

As to claim 130, STRASSLE '319 in view of NEWHOUSE and GOOSE
discloses the post and beam furniture system of claim 129 as discussed above, and the resulting post and beam furniture system from the combination of STRASSLE '319 in

view of NEWHOUSE and GOOSE also discloses that said first beam slot (upper slot in beam 91 or 92 of STRASSLE '319), said second beam slot (lower slot in beam 91 or 92 of STRASSLE '319), said third beam slot (sidewall slot in beam 91 or 92 of STRASSLE '319), said fourth beam slot (opposite sidewall slot in beam 91 or 92 of STRASSLE '319), and said slots (unnumbered T-shaped slots in post 1 of STRASSLE '319) on said flanges (extensions from walls 3, 4, 5, 6 of STRASSLE '319) of said one post (1 of STRASSLE '319) each have a generally T-shaped configuration which is similar in size and shape to receive a common fastener therein.

As to claim 143, STRASSLE '319 in view of NEWHOUSE discloses the post and beam furniture system of claim 142 as discussed above, and STRASSLE '319 also discloses that said beams (91, 92 in Fig. 10) include uppermost faces with said slots (upper T-shaped slots in beams 91, 92) extending centrally therealong.

Neither STRASSLE '319 nor NEWHOUSE explicitly disclose that said first portions of said beam-to-post connectors have at least portions thereof disposed in said second beam slots of said beams.

GOOSE discloses a post-to-beam connector (structure in Fig. 1) having a T-shaped central portion (10) for fitting in slots (108 in Fig. 3) of a post (100) and having a portion (upper and lower 112) for fitting in upper and lower slots of a beam (101) for connecting the post (100) to the beam (101).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the post and beam furniture system of STRASSLE '139 in view of NEWHOUSE by using a post-to-beam connector wherein the first portion has at

least a portion thereof disposed in said one beam slot as disclosed by GOOSE in order to provide a more stable two-point beam-to-post connection connecting the top and bottom of the beam to the post instead of a single-point connection in the center of the beam.

Claim 84 is rejected under 35 U.S.C. 103(a) as being unpatentable over STRASSLE '319 (International Patent Application Publication No. WO 97/41319, but see English translation in U.S. Patent No. 6,185,887) in view of NEWHOUSE (U.S. Patent No. 4,914,873), as applied to claim 83 above, and further in view of SHIPMAN ET AL. (U.S. Patent No. 6,073,399).

It is believed that the present invention was owned by, or subject to an obligation of assignment to, the same entity as SHIPMAN ET AL. at the time this invention was made, or was subject to a joint research agreement at the time this invention was made. However, the reference to SHIPMAN ET AL. additionally qualifies as prior art under another subsection of 35 U.S.C. 102 (i.e., 35 U.S.C. 102(a)), and therefore, is not disqualified as prior art under 35 U.S.C. 103(c).

Applicant may overcome the applied art either by a showing under 37 CFR 1.132 that the invention disclosed therein was derived from the invention of this application, and is therefore, not the invention "by another," or by antedating the applied art under 37 CFR 1.131.

As to claim 84, STRASSLE '319 in view of NEWHOUSE discloses the post and beam furniture system of claim 83 as discussed above.

Neither STRASSLE '319 nor NEWHOUSE explicitly discloses that said partition accessories include a white board with a mount portion thereof shaped to be detachably retained in one of said slots on said posts and said beams.

SHIPMAN ET AL. discloses that it is well known in the art for post and beam furniture systems (1 in Fig. 1) to include partition accessories (2 in Figs. 1 and 2) such as a white board (unnumbered structure having writing thereon in Fig. 2 in upper left-hand corner of accessory board 2) with a mount portion (either 50 or 12/13) thereof shaped to be detachably retained in one of said slots on said posts and said beams.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the post and beam furniture system of STRASSLE '139 in view of NEWHOUSE by including a white board partition accessory with a mount portion detachably retainable in post and/or beam slots as disclosed by SHIPMAN ET AL. in order to provide an easy and convenient detachable accessory board for displaying information in the post and beam furniture system.

Claim 85 is rejected under 35 U.S.C. 103(a) as being unpatentable over STRASSLE '319 (International Patent Application Publication No. WO 97/41319, but see English translation in U.S. Patent No. 6,185,887) in view of NEWHOUSE (U.S. Patent No. 4,914,873) and SHIPMAN ET AL. (U.S. Patent No. 6,073,399), as applied to claim 84 above, and further in view of HELLWIG ET AL. '796 (U.S. Patent No. 5,241,796).

It is believed that the present invention was owned by, or subject to an obligation of assignment to, the same entity as SHIPMAN ET AL. at the time this invention was made, or was subject to a joint research agreement at the time this invention was made. However, the reference to SHIPMAN ET AL. additionally qualifies as prior art under another subsection of 35 U.S.C. 102 (i.e., 35 U.S.C. 102(a)), and therefore, is not disqualified as prior art under 35 U.S.C. 103(c).

Applicant may overcome the applied art either by a showing under 37 CFR 1.132 that the invention disclosed therein was derived from the invention of this application, and is therefore, not the invention "by another," or by antedating the applied art under 37 CFR 1.131.

As to claim 85, STRASSLE '319 in view of NEWHOUSE and SHIPMAN ET AL. discloses the post-to-beam connector of claim 84 as discussed above.

None of STRASSLE '319, NEWHOUSE, and SHIPMAN ET AL. explicitly disclose that said partition accessories include a workstation light with a mount portion thereof shaped to be detachably retained in one of said slots on said posts and said beams.

HELLWIG ET AL. '796 discloses that it is well known in the art for post and beam furniture systems to include partition accessory such as a workstation light having mount portion shaped to be detachably retained in one of the post and/or beam slots.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the post and beam furniture system of STRASSLE '139 in view of NEWHOUSE and SHIPMAN ET AL. by making one of the partition accessories be a workstation light with a mount portion thereof shaped to be detachably retained in

one of said slots on said posts and said beams as taught by HELLWIG ET AL. '796 in order to provide light to the post and beam furniture system at night.

Claim 86 is rejected under 35 U.S.C. 103(a) as being unpatentable over STRASSLE '319 (International Patent Application Publication No. WO 97/41319, but see English translation in U.S. Patent No. 6,185,887) in view of NEWHOUSE (U.S. Patent No. 4,914,873), SHIPMAN ET AL. (U.S. Patent No. 6,073,399), and HELLWIG ET AL. '796 (U.S. Patent No. 5,241,796), as applied to claim 85 above, and further in view of GOOSE (U.S. Patent No. 3,592,493).

It is believed that that the present invention was owned by, or subject to an obligation of assignment to, the same entity as SHIPMAN ET AL. at the time this invention was made, or was subject to a joint research agreement at the time this invention was made. However, the reference to SHIPMAN ET AL. additionally qualifies as prior art under another subsection of 35 U.S.C. 102 (i.e., 35 U.S.C. 102(a)), and therefore, is not disqualified as prior art under 35 U.S.C. 103(c).

Applicant may overcome the applied art either by a showing under 37 CFR 1.132 that the invention disclosed therein was derived from the invention of this application, and is therefore, not the invention "by another," or by antedating the applied art under 37 CFR 1.131.

As to claim 86, STRASSLE '319 in view of NEWHOUSE, SHIPMAN ET AL., and HELLWIG ET AL. '796 discloses the post-to-beam connector of claim 85 as discussed above, and STRASSLE '319 discloses that at least one of said beams (91, 92 in Fig.

10) has an uppermost face with a single T-shaped horizontal slot (upper slots in beams 91, 92 of Fig. 10) extending therealong, and a lowermost face with a single T-shaped horizontal slot (bottom slots in beams 91, 92 of Fig. 10) extending centrally therealong.

None of STRASSLE '319, NEWHOUSE, SHIPMAN ET AL., and HELLWIG ET AL. '796 explicitly disclose that at least one of said beam-to-post connectors has key portions thereof detachably retained in said slots in the uppermost and lowermost faces of said one of said beams.

GOOSE discloses a post-to-beam connector (structure in Fig. 1) having a T-shaped central portion (10) for fitting in slots (108 in Fig. 3) of a post (100) and having upper and lower key portions (upper and lower 112) for detachabley fitting in upper and lower slots of a beam (101) for connecting the post (100) to the beam (101).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the post and beam furniture system of STRASSLE '139 in view of NEWHOUSE, SHIPMAN ET AL., and HELLWIG ET AL. '796 by using a post-to-beam connector wherein the first portion has at least a portion thereof disposed in said one beam slot as disclosed by GOOSE in order to provide a more stable two-point beam-to-post connection connecting the top and bottom of the beam to the post instead of a single-point connection in the center of the beam.

Allowable Subject Matter

Claims 30-34 and 121 are allowed.

Claims 87, 132, and 133 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 138, 139, 144, and 145 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

the prior art of record fails to teach or suggest a post-to-beam connector comprising "T-shaped nut portions thereof threadedly connected with said shank portions, and shaped to be closely received in the slot of the associated port, such that tightening said T-fasteners draws the end of the one beam and the one post together to securely, yet detachably, interconnect the same" as specifically recited in independent claim 30 (and dependent claims 31-34 either directly or indirectly dependent upon independent claim 30);

the prior art of record fails to teach or suggest a post and beam furniture system for partitioning open office space comprising "an outwardly projecting stop which abuts an uppermost end of an adjacent one of said posts to locate and positively retain an associated one of said beams at said predetermined elevation" as specifically recited in dependent claim 87;

the prior art of record fails to teach or suggest a post and beam furniture system for partitioning open office space comprising "an external vertical wire manager detachably supported from said slot on a first one of said flanges on said one post, and extending vertically along a triangularly-shaped space of said one post between said first flange and an adjacent second one of said flanges to house at least a portion of said external vertical wire manager between said first and second flanges" as specifically recited in independent claim 121;

the prior art of record fails to teach or suggest a post and beam furniture system for partitioning open office space comprising "an external vertical wire manager detachably supported from said slot on a first one of said flanges on said one post, and extending vertically along one of said triangularly-shaped spaces of said one post between said first flange and an adjacent second one of said flanges to house at least a portion of said external vertical wire manager between said first and second flanges" as specifically recited in dependent claim 132 (and dependent claim 133 directly dependent upon dependent claim 132); and

the prior art of record fails to teach or suggest a post and beam furniture system for partitioning open office space comprising "a plurality of vertical wire managers detachably supported from said slots on said flanges of said posts, and extending vertically along said triangularly-shaped spaces adjacent flanges on said posts to house at least portions of said external vertical wire manager between said flanges" as specifically recited in dependent claim 138 (and dependent claim 139 directly dependent upon dependent claim 138); and

the prior art of record fails to teach or suggest a post and beam furniture system for partitioning open office space comprising "a plurality of vertical wire managers detachably supported from said slots on said flanges of said posts, and extending vertically along said triangularly-shaped spaces adjacent flanges on said posts to house at least portions of said external vertical wire manager between said flanges" as specifically recited in dependent claim 144 (and dependent claim 139 directly dependent upon dependent claim 145.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Patents cited of interest as showing various configurations of post and beam furniture systems include: U.S. Patent No. 5,960,599 to Schmidt et al.; U.S. Patent No. 4,585,131 to Crossman et al.; U.S. Patent No. 3,556,561 to Tozer; U.S. Patent No. 6,481,177 to Wood; U.S. Patent No. 4,071,990 to Traber; U.S. Patent No. 4,583,359 to Staeger; U.S. Patent No. 3,451,183 to Lespagnol et al.; U.S. Patent Application Publication No. 2002/0023391 to Nymark; U.S. Patent No. 6,125,606 to Larsson; U.S. Patent No. 6,397,551 to Lewcock et al.; U.S. Patent No. 6,402,420 to Yang; U.S. Patent No. 4,021,129 to Sykes; U.S. Patent No. 3,747,885 to Ciancimino; U.S. Patent No. 3,466,777 to Wistrand et al.; U.S. Patent No. 3,061,055 to Nijhuis; U.S. Patent No. 3,894,374 to Faucheux (see Fig. 7); U.S. Patent No. 3,893,271 to Kotlarz; and U.S. Patent No. 3,672,710 to Kroopp.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gay Ann Spahn whose telephone number is (571)-272-7731. The examiner can normally be reached on Monday through Friday, 10:30 am to 7:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard E. Chilcot can be reached on (571)-272-6777. The fax phone number for the organization where this application or proceeding is assigned is (571)-273-8300.

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Gay Ann Spahn, Patent Examiner
November 10, 2007

Robert Canfield
Primary Examiner



Examiner's Marked-Up Copy of Fig. 17 of OUDOT et al.

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